



Jim Doyle, Governor
Mary P. Burke, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 48
Comm #: 54563-9667-08-A
BRRTS #: 03-55-000774
Site Name: Bob's Auto
Site Address: W6217 US Hwy 8, Tony, 54563
Site Manager: Bill Schultz
Address: 107 Sutliff Ave
City, State Zip: Rhinelander, WI 54501-3349
Phone: 715-365-8965
e-mail: bill.schultz@wisconsin.gov
Bid Manager: David E. Blair
Address: P.O. Box 8044
City, State Zip: Madison, Wisconsin 53708-8044
Phone: (608) 261-2515
e-mail: David.Blair@Wisconsin.Gov

Bid-Start Date:	March 26, 2007
Questions must be received by (See Section 2 (B)):	April 09, 2007 4:00 PM
Responses will be posted by (See Section 2 (B)):	April 27, 2007
Bid-End Date and Time:	May 11, 2007 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

The Copy Shop-Ashland, 310 Stuntz Ave, Ashland, WI 54806
Phone: (715) 682-6567 Fax: (715) 682-6551

SECTION 2 – Site-Specific Bid Requirements

General Comments

The site is located in the Village of Tony, Rusk County, which has a public water supply and sanitary sewer system. The site is located on a narrow parcel of land south of US Highway 8 and north of the Canadian National Railroad tracks. The site was used as a retail fueling station for over 40 years. In 1994, the two known underground storage tank, the dispenser island and associated distribution lines were removed. Presently the building is used as an auto repair facility owned and operated by Central Wisconsin Installation. The site had at least two generations of underground storage tanks at the site. Two tanks on the east side of the building (both were 4000-gallon UST's) were removed in 1994 along with the dispenser island located in the front (north) of the building. Three other tanks were removed in the early to mid-1980's. The exact location of the earlier three tanks is unknown but thought to be located in front (north) of the buildings. There are no known USTs on site at this time.

Soils at the site are glacial tills of mostly silts, sands with silts and clays, and silts with sands. Groundwater is present at a depth of 12-14 feet below the surface. The groundwater flow direction found in 2006 (toward the north) is not consistent with expectations. Based on regional topography, drainage, and groundwater impacts to monitoring wells to the east, groundwater flow was expected to be east or southeast toward Deer Tail Creek. Additional groundwater monitoring is needed.

Petroleum impacted soils have been identified where the former tanks and dispenser island were located on the east and north side of the existing building. Free product has also been identified in MW-1, MW-2 and MW-3.

The consultant for this site has acted as an agent for the responsible party (RP) because the RP did not qualify for loan interest costs. Bidders must be willing to serve as agents for the RP before contracting with the RP to complete the bid scope of work.

Minimum Remedial Requirements

Excavate and properly dispose of the most highly petroleum contaminated soil in the area(s) of soil borings/monitoring wells SB-2, SB-4, GP-3, SB-5, SB-6, GP-2, MW-2 and MW-3 (as shown on the accompanying figure). The depth of excavation should extend to groundwater or as deep as possible without causing damage to the building and Highway 8. Excavation on north side of building will be conducted in Highway 8 right-of-way and require DOT permit. Special safety measures including traffic control, permits, etc. will be needed to safely remove the soils adjacent to the heavily traveled Highway 8. For the purpose of the bid, bidders should assume an excavation of 1,400 tons. If scale receipts show that either more or less than 1,400 tons of soil was excavated to adequately address the contamination, the bid cap will be modified (up or down) based on the per ton excavation, disposal and backfill cost provided on the page two of the bid response. Without additional approvals the excavation will be limited to a maximum of 1600 tons.

A total of 16 confirmation soil samples for the area(s) excavated shall be collected that includes 4 bottom samples and 12 sidewall samples (approximately an equal distance apart). Soil samples shall be submitted for laboratory analysis of PVOCs, PAHs and lead. The excavated contaminated soils shall be properly disposed of in accordance with NR 718, Wis. Adm. Code. The excavation shall be backfilled with clean soil material.

Monitoring wells MW-2 and MW-3 which will be removed during source control excavation activities must be replaced as three inch diameter monitoring wells with pea gravel filter packs (MW-2R and MW-3R). An additional groundwater monitoring well (MW-7) shall be installed east of MW-4 along the County Road "I" right-of-way. The monitoring well shall be installed with a 10-foot screen that bisects the water table (12-14 feet) and be flush mounted. All new and replacement monitoring wells shall be constructed/documented in accordance with s. NR 141 Wis. Adm. Code.

Following the excavation four quarterly rounds of groundwater monitoring shall be conducted for monitoring wells MW-1, MW-2R, MW-3R, MW-4, MW-5, MW-6, and MW-7. During each groundwater sampling event free product measurements must be taken and recorded for each well where free product is present. Free product must be bailed from wells where it is encountered and containerized for proper disposal. Wells that have free product will be included in the sampling with the groundwater sample collected after the free product has been removed from the monitoring well. All wells for all rounds of sampling shall have groundwater elevation measurements taken. The first round of monitoring shall include analyses for VOCs, PAHs and lead. Subsequent rounds of monitoring shall include sampling for PVOCs and (if detected in the initial round of sampling) naphthalene and lead. Appropriate field and laboratory natural attenuation parameters shall be sampled in the final round from all the above listed wells. All bailed free product, development water and other waste associated with the free product bailing and monitoring well sampling must be properly disposed of off site. There is a half full 55-gallon drum of free product/water mixture currently on site which must also be disposed of at that time.

A report shall be submitted within 90 days of the fourth round of sampling. The report should include: a map showing areas excavated and where confirmation sampling was conducted; tabulated post-remedial soil data; tabulated historical and recent ground water monitoring data for each well; tabulated amount of free product measured and removed from each well; tabulated groundwater level elevations for each well; groundwater flow map(s) showing the predominant groundwater flow direction(s); an iso-concentration map for benzene; a statistical analysis of increasing or decreasing trends of historical and current monitoring results; a site map showing all property lines; and recommendations for obtaining closure at the site.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence

within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.
7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed directly to the program. Documents received by fax will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.
9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Bob's Auto

COMMERCE #: 54563-9667-08

BRRTS #: 03-55-000774

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2790 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE

(2nd Page)

Department of Commerce PECFA Program

SITE NAME: Bob's Auto

COMMERCE #: 54563-9667-08

BRRTS #: 03-55-000774

Consulting Firm Name: _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1	Per ton excavation, disposal, backfill cost (x1400)	\$	
2	Groundwater sampling/FP measurement events (x4)	\$	
3	Lab analysis (groundwater and soil samples)	\$	
4	Installation of wells (MW-2R, MW-3R, MW-7)	\$	
5	Reporting (all)	\$	
6	Waste disposal plus any other items not shown	\$	
7	PECFA Claim Preparation	\$	
8	Total Bid Amount	\$	